1. Can an employee be disciplined for excessive use of sick leave?

Yes. If an employee has excessive sick days or incidents that are not covered by the Family Medical Leave Act or ISC, the employee can be disciplined. Excessive absences are defined as 10 or more days or incidents in a 12-month period.

2. Can an employee be directed or mandated to participate in the Employee Assistance Program (EAP)?

No. A manager/supervisor cannot order or mandate an employee's participation in EAP. A manager/supervisor may suggest that an employee utilize the services.

3. Can a manager/supervisor send an employee home for disciplinary purposes?

No. An employee should not be sent home without the approval of the City Manager. Approval is obtained through the Human Resources Director. If an employee poses an immediate danger to persons or property, please contact the Human Resources Director immediately or call 911.

4. What should a manager/supervisor do if an employee exhibits unusual behavior or signs of intoxication (i.e. extreme drowsiness, extreme agitation, slurred speech)?

A manager/supervisor should contact the Employee Relations Director immediately to schedule a drug/alcohol test. The manager/supervisor should complete and submit the Reasonable Suspicion form to the Employee Relations Director and transport the employee to Mt. Sinai Occupational Health.

If after hours, a manager/supervisor should complete the Reasonable Suspicion form and transport the employee to the Mt. Sinai emergency room. The manager/supervisor and the employee should have a form of identification to produce to hospital staff.

5. What should a manager/supervisor do if an employee cannot perform the physical or mental requirements of the job duties/responsibilities?

A manager/supervisor should document all observations for a possible fitness for duty examination. Said documentation must be provided to the Employee Relations Director who will arrange for a fitness for duty evaluation with the City physician if warranted.